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HUMAN RESOURCES MANAGEMENT

Amendments to the Staff Rules

Report of the Secretary-General

1. Staff regulation 12.3 provides that the full text of provisional staff rules and amendments shall be reported annually to the General Assembly.

2. In addition to the amendments set out in the annex to the present document, proposed amendments to chapter I of the Staff Rules, Duties, obligations and privileges, are reported separately to the General Assembly as part of the proposed Code of Conduct for United Nations staff (see A/52/488). If approved by the General Assembly, those new rules will be incorporated in the next revision of the 100 series of the Staff Rules. Corresponding changes will be made in the 200 and 300 series of the Staff Rules and reported in the next annual report on amendments to the Staff Rules. Unless otherwise indicated, the amendments contained in the present report will be effective from 1 January 1998.

A. 100 series

3. The 100 series of the Staff Rules, applicable to all staff except technical assistance project personnel and staff members specifically engaged for service of limited duration, are contained in Secretary-General's bulletin ST/SGB/Staff Rules/1/Rev.9, dated 1 March 1997. The text of the amendments to the 100 series is set out in the annex to the present report.

4. Staff rule 103.22, Mobility and hardship allowance, is amended to reflect General Assembly resolution 51/216 of 18 December 1996, in which, on the recommendation of the International Civil Service Commission (ICSC), the Assembly introduced as of 1 January 1997 a five-year time limit on payment of

the non-removal element at one duty station, with a possible extension of up to two years on an exceptional basis.

5. Staff rule 105.2, Special leave, is amended to allow special leave without pay as family leave for up to two years, with the possibility of extension for up to an additional two years in exceptional circumstances, after the birth or adoption of a child, with all guarantees of re-absorption, under conditions established by the Secretary-General. Special leave without pay may also be granted when an immediate family member dies or in case of serious family emergency. The rule is also amended to clarify that special leave is normally granted at the request of a staff member.

6. Staff rule 106.2, Sick leave, is amended to allow eligible staff to use all or part of their entitlement to uncertified sick leave, i.e., up to a maximum of seven days in a calendar year, to attend to family-related emergencies, or for paternity leave in case of birth or adoption of a child.

7. Staff rule 106.3, Maternity leave, is amended to authorize partial conversion of maternity leave to paternity leave in dual career families where both spouses are staff members of the Secretariat; and to specify that accrued annual leave may be exercised as paternity leave in such cases, under conditions established by the Secretary-General.

B. 200 series

8. The 200 series of the Staff Rules, applicable to staff specifically recruited for service with technical cooperation projects, are contained in Secretary-General's bulletin ST/SGB/Staff Rules/2/Rev.8 of 1 June 1995 and ST/SGB/Staff Rules/2/Rev.8/Amend.1 of 1 March 1996. The text of the amendments to the 200 series is set out in the annex to the present report.

9. Staff rule 203.11, Mobility and hardship allowance, is amended to reflect General Assembly resolution 51/216, in which, on the recommendation of ICSC, the Assembly introduced as of 1 January 1997 a five-year time limit on payment of the non-removal element at one duty station, with a possible extension of up to two years on an exceptional basis.

10. Staff rule 205.3, Special leave, is amended to allow special leave without pay, including time for travel, when an immediate family member dies or in case of serious family emergency.

11. Staff rule 206.2, Group life insurance plan, is cancelled in order to ensure that staff serving under the 200 series participate in the group life insurance scheme of the United Nations on the same basis as staff serving under the 100 series. The cancellation of this rule is effective from 1 February 1998.

12. Staff rule 206.4, Medical care, is amended by the deletion of paragraph (c), which gave the Secretary-General discretionary authority to establish conditions under which project personnel may be reimbursed for medical expenses not covered in full by medical insurance. It was decided more than 20

years ago that there would be no justification for treating project personnel differently from staff members serving under the 100 series. All staff members are reimbursed for medical expenses in accordance with their medical insurance plan and, where applicable, Appendix D to the Staff Rules. Paragraph (c) of the rule is therefore obsolete and is deleted.

13. Staff rule 206.7, Maternity leave, is amended to authorize partial conversion of maternity leave to paternity leave in dual career families where both spouses are employed by the United Nations, and to specify that accrued annual leave may be exercised as paternity leave in such cases, under conditions established by the Secretary-General.

ANNEX

Text of amendments to the Staff Rules

A. 100 series

Chapter III

SALARIES AND RELATED ALLOWANCES

Rule 103.22

Mobility and hardship allowance

Rule 103.22, as amended, reads as follows:

"...

"(e) (i) The non-removal element shall be payable to staff members who, on assignment to a duty station, did not have an entitlement to removal costs under rule 107.27, provided that an entitlement to the assignment grant exists. Payment of the non-removal element shall be limited to a period of five years at one duty station, with a possible extension of up to two years on an exceptional basis.

"...

"(iii) The non-removal element shall be discontinued if an entitlement to removal to the duty station under rule 107.27 arises. However, subject to the time limits set out in subparagraph (e) (i), the Secretary-General may decide to continue payment of the non-removal element of the allowance in lieu of remcval costs under rule 107.27.

"..."

Chapter V

ANNUAL AND SPECIAL LEAVE

Rule 105.2

Special leave

Rule 105.2, as amended, reads as follows:

"(a) (i) Special leave may be granted at the request of a staff member for advanced study or research in the interest of the United Nations,

in cases of extended illness, for child care or for other important reasons for such period as the Secretary-General may prescribe. In exceptional cases, the Secretary-General may, at his initiative, place a staff member on special leave with full pay if he considers such leave to be in the interest of the Organization.

"...

"(iii) Subject to conditions established by the Secretary-General, family leave may be granted as follows:

"a. As special leave with full pay in the case of adoption of a child;

"b. As special leave without pay for a period of up to two years for a staff member who is the mother or father of a newly born or adopted child, with a possibility of extension for up to an additional two years in exceptional circumstances. The right of a staff member to be re-absorbed after the end of such special leave without pay shall be fully protected;

"c. As special leave without pay for a reasonable period, including necessary travel time, upon the death of a member of the immediate family of the staff member, or in case of serious family emergency.

"..."

Chapter VI

SOCIAL SECURITY

Rule 106.2

Sick leave

Rule 106.2, as amended, reads as follows:

"(a) ...

"(i) All sick leave must be approved on behalf of and under conditions established by the Secretary-General;

"...

"(vii) A staff member may take uncertified sick leave of not more than three consecutive working days at a time, for up to seven working days in a calendar year, when incapacitated for the performance of his or her duties by illness or injury. Part or all of this

entitlement may be used to attend to family-related emergencies, or for paternity leave in case of birth or adoption of a child, in which case the limitation of three consecutive working days shall not apply. After a staff member has taken periods of uncertified sick leave totalling seven working days within a calendar year, any further absence from duty within that year shall either be supported by a medical certificate as provided under subparagraph (vi) above, or may be charged to annual leave or treated as an unauthorized absence in accordance with rule 105.1 (b) (ii);

"..."

Rule 106.3

Maternity leave

Rule 106.3, as amended, reads as follows:

"...

"(b) Where both spouses are staff members of the United Nations, an unused portion of maternity leave to which the mother would otherwise have been entitled under paragraph (a) above may be used as paternity leave by the father of the child, under conditions established by the Secretary-General. Alternatively, paternity leave may be charged to the father's annual leave entitlement.

"..."

B. 200 series

Chapter III

SALARIES AND RELATED ALLOWANCES

Rule 203.11

Mobility and hardship allowance

Rule 203.11, as amended, reads as follows:

"...

"(e) (i) Except as provided in subparagraph (ii) below, the non-removal element shall be payable to project personnel, provided that an entitlement to assignment grant exists. Payment of the non-removal element shall be limited to a period of five years at

one duty station, with a possible extension of up to two years on an exceptional basis;

"(ii) Project personnel listed in rule 200.1 (a) who have an entitlement to removal costs under rule 107.27 shall not be entitled to the non-removal element.

"..."

Rule 205.3

Special leave

Rule 205.3, as amended, reads as follows:

"(a) ...

"(iii) In the case of adoption of a child, special leave with full pay may be granted under the conditions and for the period established by the Secretary-General. Special leave without pay may be granted to project personnel for a reasonable period, including necessary travel time, upon the death of a member of the immediate family of project personnel, or in case of serious family emergency;

"..."

Rule 206.2

Group life insurance plan

Rule 206.2 is cancelled.

Rule 206.4

Medical care

Rule 206.4, as amended, reads as follows:

"...

"(c) (Cancelled)

"..."

Rule 206.7

Maternity leave

Rule 206.7, as amended, reads as follows:

"...

"(b) Where both husband and wife are employed by the United Nations, an unused portion of maternity leave to which the mother would otherwise have been entitled under paragraph (a) above or under staff rule 106.3 (a) may be used as paternity leave by the father of the child, under conditions established by the Secretary-General. Alternatively, paternity leave may be charged to the father's annual leave entitlement.

"..."